

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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DUSTIN S. SOULEK, individually,  
and as representative of a Class of  
Participants and Beneficiaries, of  
the Costco 401(k) Retirement Plan;

Plaintiff,

Case No. 20-cv-937

v.

COSTCO WHOLESALE CORPORATION, *et al.*

Defendants

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**JOINT MOTION TO CONDUCT THE FAIRNESS HEARING REMOTELY**

Plaintiff Dustin S. Soulek and Defendants Costco Wholesale Corporation (“Costco”), the Board of Directors of Costco Wholesale Corporation (“Board Defendants”), and the Costco Benefits Committee (“Benefits Committee”) (collectively, “Defendants”) (together, the “Parties”), by and through their undersigned counsel, hereby jointly move the Court to conduct the July 18, 2022 Fairness Hearing via Zoom or other videoconference means. In support, the Parties state as follows:

1. Pursuant to the Court’s Order on Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, the Court set a Fairness Hearing for July 18, 2022. (ECF No. 52 at 2.) The Court also ordered that any and all class members who object to the settlement file those objections with the Court and serve them on the Parties’ (through counsel) at least thirty (30) days before the Fairness Hearing,

which was June 17, 2022. (*Id.* at 7).

2. No objections were filed with the Court, and neither Party has received any objections to settlement as of the filing of this Motion. Accordingly, the Parties anticipate that only their respective counsel will attend the Fairness Hearing.

3. The Parties' respective counsel who will appear at the Fairness Hearing do not reside or work in or near Green Bay, Wisconsin. Lead plaintiff counsel Paul M. Secunda is located in Milwaukee, Wisconsin. Lead defense counsel Ian Morrison is located in Chicago, Illinois.

4. To minimize the financial cost to their respective clients relating to travel, and to promote the general health and well-being of the community, the Parties jointly and respectfully request that they be permitted to appear remotely via videoconferencing technology at the Fairness Hearing, at the Court's discretion.

5. Of course, counsel will attend these proceedings in person should the Court wish to conduct the proceeding in person.

WHEREFORE, the Parties respectfully request that the Court conduct the July 18, 2022, Fairness Hearing via videoconferencing technology.

Dated: July 7, 2022

Respectfully submitted,

/s/ Paul M. Secunda

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 7, 2022, a copy of the foregoing document filed was electronically through the Court's CM/ECF system, which will send a notice of electronic filing to all counsel of record.

*s/ Paul M. Secunda*  
Paul M. Secunda